



Ordinance Fact Sheet

TO: CITY COUNCIL **DATE:** September 16, 2024
FROM: CITY ATTORNEY
SUBJECT: **ORDINANCE AMENDING TITLE 9, ARTICLE IX OF THE PASADENA MUNICIPAL CODE BY ADDING A NEW CHAPTER 9.85 TO ESTABLISH CAMPAIGN CONTRIBUTION LIMITS**

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 9, ARTICLE IX OF THE PASADENA MUNICIPAL CODE BY ADDING A NEW CHAPTER 9.85 TO ESTABLISH CAMPAIGN CONTRIBUTION LIMITS

PURPOSE OF ORDINANCE

On July 8, 2024, the City Council considered recommendations proposed by the Charter Study Task Force regarding numerous governance issues. In addition to voting to place several proposed Pasadena City Charter amendments on the November 5, 2024, ballot, the City Council directed this Office to draft an ordinance establishing campaign contribution limits of \$2,500 for candidates for Mayor, and \$1,000 for candidates for City Council districts, per election. This ordinance amends Title 9, Article IX of the Pasadena Municipal Code by adding a new Chapter 9.85 to establish campaign contribution limits, consistent with the City Council's July 8 direction. Currently, as a city without campaign contribution limits, Pasadena adheres to the state of California's default campaign contribution limits (currently \$5,500 per election). The state's Fair Political Practices Commission ("FPPC") is charged with enforcing the default contribution limit. On the other hand, if a local jurisdiction such as the City adopts a campaign contribution ordinance, that jurisdiction (*i.e.*, the City) would be responsible for enforcing the ordinance. The ordinance provides for civil actions and injunctive relief, as well as criminal prosecution as a means of enforcement. It further provides that one goal of the ordinance is to achieve voluntary compliance, which could result in a matter being resolved informally, without the need to bring a legal action.

MEETING OF 9/16/2024

AGENDA ITEM NO. 11

REASON WHY LEGISLATION IS NEEDED

An ordinance is needed to establish the campaign contribution limits as directed by the City Council if there are to be penalties imposed for violation.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The City Clerk will administer aspects of this ordinance. In line with the goal to achieve voluntary compliance with the campaign contribution limit requirements, compliance can be sought informally, prior to the need to refer a matter for criminal prosecution or civil action. In view of potential ethical and conflict issues associated with the City Prosecutor criminally prosecuting candidates who appoint, or may appoint the City Prosecutor, it is anticipated that alleged violations would need to be referred by the City Prosecutor to the District Attorney for consideration of prosecution.

FISCAL IMPACT

Administrative costs, to implement the ordinance and report complaints, would be incurred as complaints rise to the level of enforcement. It is anticipated that the fiscal impact for such administrative costs will not be significant.


ENVIRONMENTAL DETERMINATION

The action proposed herein has been determined to be exempt from the California Environmental Quality Act "CEQA"), as it is not a project subject to CEQA, as defined in CEQA Guidelines Sections 21065 and 15378, and as such, no environmental document pursuant to CEQA is required.

Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:


Dion O'Connell
Assistant City Attorney

Concurred by:


MIGUEL MÁRQUEZ
City Manager